

21. POLICE DEPARTMENT

21.01. Personnel. The law enforcement personnel of the police department shall consist of one (1) chief, and persons designated as assistant chiefs, captains, lieutenants, detectives, and police officers, in such number as the common council may designate from time to time by resolution. Provided, however, that the incumbent records clerk and sergeants as of May 1, 1978, shall continue in office until they retire or their employment is otherwise terminated, at which time the respective position shall be deemed abolished. In addition to law enforcement personnel, the police department shall consist of such civilian employees as the council may from time to time authorize in accordance with Laws 1978, Chapter 793, Section 96, who shall not be subject to the rules and regulations or Jurisdiction of the police civil service commission or be eligible to be members in or to receive benefits from the policemen's relief association. The council shall by resolution provide for benefits and for procedures in the hiring and dismissal of civilian employees in the police department.

21.02. Supervision. Pursuant to resolution adopted by the council on March 2, 1931, creating a police civil service commission for the city, the employment, promotion, discharge and suspension of all officers and employees of the police department of the city shall be under the control and supervision of the police civil service commission and shall be carried out in accordance with the provisions of this chapter and chapter 419 of the Minnesota Statutes, as amended and in accordance with section 9.00 of the charter insofar as the same is not inconsistent with the statutes aforesaid.

21.03. School Traffic Supervisors. In addition to the personnel authorized in section 21.01, the mayor may appoint eight part-time school traffic supervisors, as authorized by chapter 66, of the Laws of 1959, Extra-Session. Such part-time school traffic supervisors shall perform such duties as are assigned to them by the chief of police at school crossings authorized by the council to be protected by school traffic supervisors. Such supervisors shall not come within the Jurisdiction of the police civil service commission.

21.04. Bicycle Patrol. In addition to the personnel authorized in the preceding sections in this chapter, the mayor may appoint six seasonal bicycle patrol officers. The bicycle patrol officers shall perform such duties as are assigned to them by the chief of police pertaining to the enforcement of laws regulating the possession and use of bicycles. Bicycle patrol officers shall be under the jurisdiction of the police civil service commission, but shall not be considered members of the police department for pension purposes as provided by Laws 1969, chapter 641, section 1, as amended by Laws 1975, chapter 368, section 54.

21.05. Background Investigations. Subdivision 1. The Rochester Police Department shall conduct criminal history/background investigations on prospective tenants in rental property in the City of Rochester upon request by the owner or manager of the rental property as provided in section 38.154. No such investigation shall be conducted using the state Criminal Justice Data Communication Network (CJDN) and no information obtained from the CJDN shall be disseminated unless the landlord presents an Informed Consent/Waiver form signed by the prospective tenant. The Informed Consent/Waiver form must meet the requirements of Minn. Stat. Section 13.05, subd. 4(d).

Subd. 2. The Rochester Police Department shall conduct criminal history/background investigations on those persons applying for positions as Block Captains in neighborhood watch programs; as volunteers in the McGruff programs; and for positions in similar programs for which the Chief of Police determines the investigation is appropriate. Applicants for these positions shall provide such information as the Police Chief deems necessary to complete the investigation. No such investigation shall be conducted using the state Criminal Justice Data Communication Network (CJDN) and no information obtained from the CJDN shall be

disseminated unless the applicant presents an Informed Consent/Waiver form meeting the requirements of Minn. Stat. Section 13.05, subd. 4(d).

21.06. Disabled Parking Volunteer Enforcement Program. There is hereby created in the City of Rochester, as provided by Minn. Stat. Section 169.346, Subd. 4, a Disabled Parking Volunteer Enforcement Program. Participants who have successfully completed a training program established by the Rochester Police Department are hereby authorized to issue parking citations for violations of Minn. Stat. Section 169.346. The training program shall include education on the requirements of state law concerning disabled parking, the proper method of issuing and processing citations, and other rules and regulations as may be adopted by the Rochester Police Department. Participants in this program shall be under the supervision of the designee of the Police Chief of the Rochester Police Department.

(1287, 12/7/64; 1302, 4/5/65; 1399, 5/15/67; 1419, 10/16/67; 1533, 1/6/70; 1703, 6/5/73; 1850, 7/8/76; 1954, 6/5/78; 2554, 6/1/87; 3079, 2/3/97; 3232, 3/15/99)